IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE TWELFTH DAY OF SEPTEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 19054 of 2005

Between:

P. Madhusudhan Rao

..... PETITIONER

AND

The Superintendent Of Police,

Chittoor, Chittoor District and another

.....RESPONDENTS

ORDER:

Seeking a Mandamus, declaring the action of the respondents in maintaining the rowdy sheet against the petitioner, as illegal and arbitrary, and consequently direct the respondents to set aside and close the rowdy sheet No.197/97 opened on 16.06.1997 in 2nd respondent police station, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The learned Government Pleader for Home represented that though the 2nd respondent was instructed to send information in order to prepare counter, the 2nd respondent did not take any action.

In view of the submissions made by the learned Government Pleader for Home, the allegations in the affidavit filed in support of the petition have to be, prima facie, accepted, because they are not introverted.

Therefore, the Writ Petition is allowed as prayed for. This order is passed because the 2nd respondent failed to file his counter affidavit. Let the copy of this order be marked to the 1st respondent for taking appropriate disciplinary action against the 2nd respondent. No order as to costs.

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K.C. BHANU,J

Dated: 12.09.2005

Dsr

Note:

Registry is directed to mark the

copy of this order to the 1st respondent

separately to take disciplinary action against

the 2nd respondent.

B/o

Dsr